

रजिस्टर्ड नं० पो० 461.



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, मंगलवार, 24 अप्रैल, 1973/4 वैशाख, 1895

GOVERNMENT OF HIMACHAL PRADESH

FOOD AND SUPPLIES DEPARTMENT

NOTIFICATION

Simla-2, the 17th April, 1973

No. 11-2/73-Coop (F&S).—The Inter-Zonal Wheat and Wheat Products (Movement Control) Order, 1973 and the Inter-Zonal Wheat and Wheat Products (Movement Control) Amendment Order, 1973 issued by the Government of India, Ministry of Agriculture (Department of Food), New Delhi and published in the Gazette of India Extra-ordinary Part, II, Section 3, sub-section (i) dated the 31st March, 1973 and 2nd April, 1973 respectively, are hereby republished in the Himachal Pradesh Government Rajpatra for the information of general public.

K. C. PANDEYA,
Secretary.

GOVERNMENT OF INDIA
MINISTRY OF AGRICULTURE
(DEPARTMENT OF FOOD)

ORDER

New Delhi, the 31st March, 1973/10th Chaitra, 1895 (Saka)

G. S. R. Whereas the Central Government is of opinion that it is necessary and expedient so to do for securing the equitable distribution of wheat and wheat products in the different States of India;

Now, therefore, in exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955, the Central Government hereby makes the following Order, namely:—

10 of 195

Short title,
extent and
commencement.

1. (1) This Order may be called the Inter-Zonal Wheat and Wheat Products (Movement Control) Order, 1973.

(2) It extends to the whole of India.

(3) It shall come into force on the 1st day of April, 1973.

Definitions.

2. In this Order, unless the context otherwise requires—

(a) “export” means to take or cause to be taken, by any means whatsoever, from any place within a Zone to a place outside it;

(b) “external border area” means the area within a ten mile belt all along the border lying within those States and Union territories whose borders are contiguous to the territories of foreign countries;

(c) “import” means to take or cause to be taken, by any means whatsoever, into any place within a Zone from a place outside it;

(d) “State Government” means the Government of any State included in Zone and includes the Administrator of a Union territory ;

(e) “wheat” includes split wheat and any mixture of wheat and—

(i) gram or barley in which the proportion of wheat exceeds four per cent; or

(ii) other foodgrains in which the proportion of wheat exceeds two per cent;

(f) “wheat product” means wholemeal atta, resultant atta, maida, sooji or rawa;

(g) “Zone” means any of the Zones as specified in the Schedule annexed to this Order;

- (h) "zonal border area" means the area with a five-mile belt inside a Zone all along its border whether adjoining—
 - (i) another Zone, or
 - (ii) the territories of Nepal, Bhutan and Sikkim.

3. (1) No person shall export or attempt to export or abet the export of wheat or any wheat product except with the permission in writing of the Central Government or of an officer authorised in that behalf by the Central Government.

(2) No person shall import or attempt to import or abet the import of wheat or any wheat product except with the permission in writing of the Central Government or of an officer authorised in that behalf by the Central Government:

Provided that nothing contained in sub-clause (1) or sub-clause (2) shall apply to the export or import of wheat or any wheat product—

- (i) on Central Government account;
- (ii) under and in accordance with Military Credit Notes;
- (iii) by or on behalf of the Food Corporation of India established under section 3 of the Food Corporations Act, 1964 ;
- (iv) by or on behalf of such public agencies as may be approved by the Central Government with such conditions as it may impose;
- (v) received by way of gift under the Indo-U.S. Agreement on Relief Supplies, 1968, and despatched to a nominee of the American Voluntary Relief Agency concerned for relief purposes;
- (vi) by or under the authority of the Dandakaranya Development Authority;
- (vii) not exceeding five kilograms in weight in the aggregate by a bona fide traveller as part of his luggage:

Provided further that it shall be lawful for a person to export or import under and in accordance with a permit granted by the State Government having jurisdiction in this behalf subject to such directions as the Central Government may issue from time to time—

- (a) seed wheat for bona-fide agricultural purposes; or
- (b) wheat produced on land owned or cultivated by the person seeking such export or import for personal domestic consumption at his place of residence.

4. No person shall move, attempt to move or abet the movement of wheat or any wheat product—

- (a) to any place in the zonal border area from any place outside that area; or
- (b) from any place in the zonal border area to any other place in that area,

except under and in accordance with a permit issued by the State Government having jurisdiction in this behalf or by an officer authorised in that behalf by that Government:

Provided that nothing in this clause shall apply to the movement of wheat or any wheat product from one part of Nepal to another through the interlying territory of Uttar Pradesh.

Prohibition
of export
and import
of wheat
and wheat
products.

Restriction
on the mov-
ement of
wheat or
wheat pro-
ducts to or
within the
zonal bor-
der area.

Restriction
on the move-
ment of
wheat or
wheat pro-
ducts to or
within the
external
border
area.

Exemption
for border
areas.

Powers of
entry, ex-
amination,
search and
seizure.

5. No person shall move, attempt to move or abet the movement of wheat or any wheat product :—

- (a) to any place in the external border area from any place outside that area; or
- (b) from any place in the external border area to any other place in that area,

except under and in accordance with a permit issued by the State Government having jurisdiction in this behalf or by an Officer authorised in that behalf by that Government.

6. Nothing contained in clause 4 or clause 5 shall apply to the movement of wheat or any wheat product, as the case may be:—

- (i) on Central Government account;
- (ii) under and in accordance with Military Credit Notes;
- (iii) within the same town or village in the zonal border area or in the external border area;
- (iv) not exceeding ten kilograms in weight in the aggregate at a time by a *bona fide* resident of the zonal border area or of the external border area for domestic consumption;
- (v) by or on behalf of the Food Corporation of India established under section 3 of the Food Corporation Act, 1964;
- (vi) by or on behalf of such public agencies as may be approved by the Central Government in this behalf, with such conditions as it may impose;
- (vii) received by way of gift under the Indo-U.S. Agreement on Relief Supplies, 1968, and despatched to a nominee of the American Voluntary Relief Agency concerned for relief purposes;
- (viii) from a village in the zonal border area or in the external border area to the nearest grain market (mandi) for the purpose of sale, whether such market is within or outside any such area;
- (ix) by or under the authority of the Dandakaranya Development Authority;
- (x) not exceeding five kilograms in weight in the aggregate by a *bona fide* traveller as part of his luggage.

37 of 1969

7. (1) Any police officer not below the rank of Assistant Sub-Inspector or any other officer authorised in this behalf by the Central Government or the State Government having jurisdiction may, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with—

- (a) stop and search any person or any boat, motor or other vehicle or any receptacle used or intended to be used for the export or import or movement of wheat or any wheat product;
- (b) enter, search or examine any place;
- (c) seize—
 - (i) any stock of wheat or wheat product in respect of which he has reason to believe that a contravention of any of the provisions of this Order has been, is being, or is about to be committed; and

10 of 1955

- (ii) any packages, coverings or receptacles in which such stock of wheat or wheat product is found; and
- (iii) the animals, vehicles, vessels, or other conveyances used in carrying such stock of wheat or wheat product if he has reason to believe that such animals, vehicles, vessels or other conveyances are liable to be forfeited under the provisions of the Essential Commodities Act, 1955.

and thereafter take or authorise the taking of all measures necessary for securing the production of the packages, coverings, receptacles, animals, vehicles, vessels or other conveyances so seized in a court and for their safe custody pending such production;

- (d) examine or seize any books of accounts or documents which in his opinion would be useful for, or relevant to, any proceedings in respect of any contravention of this Order, and return such books of accounts and documents to the person from whom they were seized after copies thereof or extracts therefrom as certified by that person have been taken.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898 relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

5 of 1898

8. The provisions of this Order, shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

9. The Gujarat Wheat (Export Control) Order, 1973 issued by the State Government of Gujarat and the Uttar Pradesh Wheat and Wheat Products (Movement Control) Order, 1973 issued by the State Government of Uttar Pradesh are hereby repealed, except as respects things done or omitted to be done before such repeal.

Effect of Order.

Repeal and Saving.

THE SCHEDULE

[See clause 2 (g)]

Zone States and Union territories constituting the Zones

- I. The State of Andhra Pradesh and the area comprising Yanam in the Union territory of Pondicherry
- II. The State of Assam
- III. The State of Bihar
- IV. The State of Gujarat, the Union territory of Dadra and Nagar Haveli and the areas comprising Daman and Diu in the Union territory of Goa, Daman and Diu
- V. The State of Jammu and Kashmir
- VI. The State of Kerala, the Union territory of Laccadive and Minicoy Islands and the area comprising Mahe in the Union territory of Pondicherry
- VII. The State of Madhya Pradesh
- VIII. The State of Maharashtra and the area comprising Goa in the Union territory of Goa, Daman and Diu.
- IX. The State of Manipur

<i>Zone</i>	States and Union territories constituting the Zones
X.	The State of Meghalaya
XI.	The State of Mysore
XII.	The State of Nagaland
XIII.	The State of Orissa
XIV.	The State of Rajasthan
XV.	The State of Tamil Nadu and the areas comprising Pondicherry and Karikal in the Union territory of Pondicherry
XVI.	The State of Tripura
XVII.	The State of Uttar Pradesh
XVIII.	The State of West Bengal (excluding the areas in which the West Bengal Rationing Order, 1964 is in force) and the Union territory of Andaman and Nicobar Islands
XIX.	The Union territory of Arunachal Pradesh
XX.	The Union territory of Mizoram

[No. 3 (Genl) (5)/93/73-PY-II]
A. K. MAJUMDAR,
Joint Secretary)

PUBLISHED IN THE GAZETTE OF INDIA EXTRAORDINARY
PART II SECTION 3 SUB-SECTION (i) DATED 2nd April-
1973/CHAITRA
12, 1895 (SAKA)
Ministry of Agriculture
(Department of food)
ORDER

New Delhi, the 2nd April, 1973

GSR.....In exercise of the powers conferred by section of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following order to amend the Interzonal wheat and wheat products (Movement Control) Order, 1973, namely:—

Short title
and comm-
encement

1. (1) This order may be called the Inter-Zonal Wheat and wheat products (Movement Control) Amendment order, 1973.
- (2) It shall come into force at once
2. In the Inter-Zonal wheat and wheat products (Movement Control) Order, 1973, for the schedule the following schedule shall be

substituted, namely:—

THE SCHEDULE

[See clause 2 (g)]

Zone States and Union territories constituting the zones.

- I. The State of Andhra Pradesh and the area comprising Yanam in the Union territory of Pondicherry.
- II. The State of Assam.
- II. The State of Bihar.
- IV. The State of Gujarat, the Union territory of Dadra and Nagar Haveli and the areas comprising Daman and Diu in the Union territory of Goa, Daman and Diu.
- V. The state of Haryana.
- VI. The State of Himachal Pradesh.
- VII. The State of Jammu and Kashmir.
- VIII. The State of Kerala, the Union territory of Laccadive, Minicoy and Amindivi Islands and the area comprising Mahe in the Union territory of Pondicherry.
- IX. The State of Madhya Pradesh.
- X. The State of Maharashtra and the area comprising Goa in the Union territory or Goa, Deman and Diu.
- XI. The State of Manipur.
- XII. The state of Meghalaya.
- XIII. The State of Mysore.
- XIV. The State of Nagaland.
- XV. The State of Orissa.
- XVI. The State of Punjab and the Union territory of Chandigarh.
- XVII. The State of Rajasthan.
- XVIII. The State of Tamil Nadu and the areas comprising Pondicherry and Karikal in the Union territory of Pandicherry.
- XIX. The State of Tripura.
- XX. The State of Uttar Pradesh.
- XXI. The State of West Bengal (excluding the areas in which the West Bengal Rationing Order, 1964 is in force) and the Union territory of Andaman Nicobar Islands.
- XXII. The Union territory of Arunachal Pradesh.
- XXIII. The Union territory of Delhi.
- XXIV. The Union territory of Mizoram.

A. K. MAJUMDAR.

Joint Secretary to the Government of India.
[No. 3 (Genl) (5)/94/73-PY-II]

उप-नियंत्रक, मुद्रण तथा लेखन सामग्री, हिमाचल प्रदेश, शिमला-3 द्वारा मुद्रित तथा प्रकाशित ।